IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE EIGHTH DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT APPEAL No.987 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 18/12/2004 in WP No.6164 OF 1995 on the file of the High Court.)

Between:

B. Jagadeesh, S/o. Sanyasi Naidu,
R/o. Visakhapatnam

..... APPELLANT

AND

1 The District Collector,

Visakhapatnam District, Visakhapatnam.
2 The Joint Collector, Visakhapatnam.
3 The Revenue Divisional Officer, Visakhapatnam.
4 The Mandal Revenue Officer,

Anandapuram, Visakhapatnam District.

.....RESPONDENTS

JUDGMENT:

Writ petitioner had filed the petition challenging an order dated 24-12-1994 by which the Joint Collector, Visakhapatnam, had dismissed an appeal filed by the writ petitioner under Land Encroachment Act. The case of the writ petitioner was that he

was in possession of a piece of land to the extent of Ac.1-50 cents, and he had constructed a house on that and had requested the authorities to regularize his occupation and grant him patta. He had also filed another writ petition being W.P.No.12084 of 1993, when he was given a notice to vacate. That writ petition was disposed of on 03-09-1993 by this Court directing the fourth respondent to consider the representation of the writ petitioner. Subsequently, by order dated 21-07-1994, the fourth respondent passed order of eviction. Appeal was filed. It was also rejected. The authorities below found that the petitioner was an encroacher and had no right to continue in the possession of the land, and the Government needed the land for providing house sites to weaker sections. The learned single Judge found that there was no case for the petitioner in which the High Court could interfere. We have no reasons to disagree with the learned single Judge.

Therefore, the Writ appeal is dismissed. In the interest of justice, however, if the petitioner has any standing crops over the land, as he pleads, he may be allowed to take the crops. No costs.

(Bilal Nazki, A.C.J)

8th August, 2005

(G.Chandraiah, J)

LUR